

IN THE CIRCUIT COURT OF RANKIN COUNTY, MISSISSIPPI

DATE: May 12, 2009

TYREE W. BROWN, ET AL

PLAINTIFF

VS

CAUSE NO. 2009-105-R

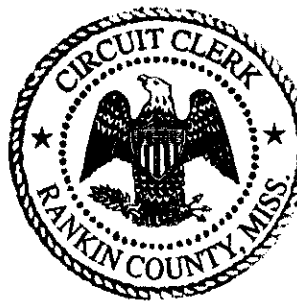
ILLINOIS CENTRAL RAILROAD COMPANY INC.,
a.k.a.; CANADIAN NATIONAL RAILROAD AND
DOW CHEMICAL COMAPANY

DEFENDANT

CLERK'S CERTIFICATE

I, CAROL B. SWILLEY, CIRCUIT CLERK, OF RANKIN COUNTY,
MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PAGES CONTAIN
A TRUE AND CORRECT TRANSCRIPT OF THE RECORDS IN MY OFFICE IN
CONNECTION WITH THE ABOVE STYLED AND NUMBERED CAUSE.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 12TH DAY OF
MAY 2009.



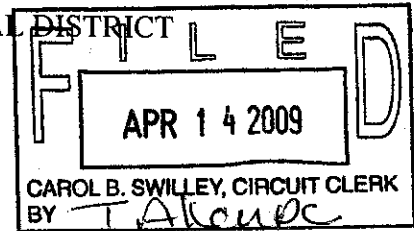
**CAROL B. SWILLEY,
CIRCUIT CLERK**

BY: 
DEPUTY CLERK

EXHIBIT A

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL DISTRICT

OF RANKIN COUNTY, MISSISSIPPI



TYREE W. BROWN, individually, and as the
Statutory Heir and Wrongful Death Beneficiary of CHESTER BROWN
and LESTER BROWN, Deceased; His Minor, infant, twin sons

PLAINTIFFS

VERSUS

CIVIL ACTION NO.

2009-105-R

ILLINOIS CENTRAL RAILROAD COMPANY, INC.,
a.k.a.: CANADIAN NATIONAL RAILROAD AND
DOW CHEMICAL COMPANY

DEFENDANTS

COMPLAINT-SUIT FOR DAMAGES AGAINST RAILROAD CARRIER AND AGAINST
THE CHEMICAL MANUFACTURER FOR THE MANUFACTURE AND
TRANSPORTATION OF ULTRA HAZARDOUS CHEMICAL PRODUCTS:
PENTACHLOROPHENOL, DIELDRIN AND HEPTACHLOR THAT PRODUCE DIOXINS
AND ENVIRONMENTAL AND COMMUNITY CONTAMINATION AND INJURIES TO
PLAINTIFFS AND FOR STRICT LIABILITY AND FOR WRONGFUL DEATH

PLAINTIFF DEMANDS A JURY TRIAL

Comes now Plaintiff, Tyree W. Brown, et al., hereby complains and sues for damages under
legal theory of strict liability and for wrongful death against the defendants and each of them and
would respectfully show:

I. JURISDICTION AND VENUE

1. The wrongful acts, omission and faults complained of herein occurred within the City of
Flowood, County of Rankin, State of Mississippi. The action arises under the provisions and

pursuant to Mississippi Codes Annotated, § 11-7-13, (1972),(Supp.1988), and seq. 2004 and for strict liability in tort and wrongful death. Plaintiff states that the damages sort herein are in excess of the jurisdictional minimum of this court.

2. Plaintiff, Tyree W. Brown is an adult citizen of the City of Gulfport, County of Harrison, State of Mississippi, currently residing at 1919 38th Avenue, Gulfport, Mississippi 39501; mailing address P. O. Box 891, Gulfport, Mississippi 39502, and has no email address. Plaintiff hereby certifies that above named and referenced minor infant twin sons are his biological deceased children. That were conceived and contaminated at 424 1/2 Fannin Road, Flowood, Mississippi 39208, and was later still born.

3. Defendant, Illinois Central Railroad Company, is a railway transporter and aka: Canadian National Railroad of Toronto Canada, and is an Illinois corporation duly organized and existing under the laws of the State of Illinois; with its principle place of business located at 3130 Southwestern Avenue, Chicago, Illinois 60608,, duly organized and existing under the laws of the State of Illinois. Its authorized agent for service of process is C. T. Corporation Systems Inc., 645 Lakeland, Drive, East, Suite #101, Flowood, Mississippi 39232. Plaintiff attempted to mediate a claim and for damages for his cancer with the Risk Management Department, Mr. Winky Freeman, Manager in Jackson, Mississippi, 39203, who incorrectly denied the claim as time barred. Service of Process is being effectuated by the Rankin County Sheriff Department, 221 North Timber Street, Brandon, Mississippi 39042.

4. Defendant, Dow Chemical Company a chemical manufacturer and is a Delaware corporation duly organized and existing under the laws of the State of Delaware; its principle place of business locates at 2030 Dow Center, Midland, Michigan 48642; its authorized agent for service of process is C. T. Corporation, Inc., 645 Lakeland Drive, East, Suite #101, Flowood, Ms. 39232. Service of process is being effectuated by the Rankin County Sheriff Department, 221 North Timber Street, Brandon, Mississippi 39042. Plaintiff has attempted to mediate this claim with this defendant many times.

II. ALLEGATIONS

5. Plaintiffs, Tyree W. Brown alleges that he first learned for a fact of the off site dumping and soil and environmental contaminations near or on his families homes on December 8, 2008 after completion and evaluations of off -site surface soil data from adjacent residential properties near Sonford Products and Sonford International Companies, 3506 Payne Drive in Flowood, Rankin County, Mississippi 39208. From the Evaluation Report, EPA Facility ID: No. MSD086556388 of the United States Department of Health and Human Services; Agency for Toxic Substances and Disease Registry, 1600 Clifton Road, NE, MS F-09, Atlanta, GA 30333.

6. Plaintiff Tyree W. Brown alleges that he and his wife, three small children, and two unborn infant twin son, now deceased was environmentally contaminated and mental and physical health were damaged due to off site dumpings near; and railroad transporting box cars and tracks less 20 feet from front porch of that his former family home at 424 1/2 Fannin Road, Flowood, Mississippi 39208; from 1972 to 1985 by Dioxin, Dieldrin, and Heptachlor Epoxide, produce by Pentachlorophenol and Sodium Pentachlorophenol that were being transported on a short vain of

railroad track from Mississippi Interstate Highway 80 to two former chemical plants; Sonford International Company, Inc., and Sonford Products Corporations, both formerly located at 3506 Payne Drive, Flowood, Rankin County, Mississippi 39208 about 1/2 mile from families homes and community.

7. Plaintiff, Tyree W. Brown alleges that said herein community enviromental contamination by said chemicals herein has cause him to be damaged and to suffer recurrent prostate cancer diagnosed in January, 2008.

8. Plaintiffs further alleges that the said and named chemicals herein cause the fetal rupture and premature birth and subsequent deaths of his two named infants son herein.

PRAYER

WHEREFORE PREMISES CONSIDERED AND PRESENTED, Plaintiff, TYREE W. BROWN prays for damages pursuant to Mississippi Codes Annotated Section 11-7-13, (1972) from the Defendant: ILLINOIS CENTRAL RAILROAD COMPANY, INC., compensatory damages in the amount of SIXTY MILLION DOLLARS (\$60,000,000.00);

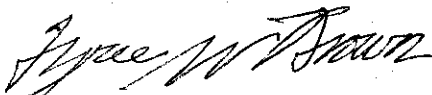
and

From the Defendant; DOW CHEMICAL COMPANY, INC., compensatory damages in the amount of SIXTY MILLION DOLLARS.(\$60,000,000.00);

and

in the Full Sum of ONE HUNDRED AND TWENTY MILLION DOLLARS. (\$120,000,00.00).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tyree W. Brown". The signature is fluid and cursive, with the first name "Tyree" being more prominent.

TYREE W. BROWN, Plaintiff

Tyree W. Brown
P. O. Box 891
Gulfport, Mississippi 39502
Tel: (228) 383-3358

IN THE CIRCUIT COURT OF RANKIN COUNTY, MISSISSIPPI

TWENTIETH JUDICIAL DISTRICT

TYREE W. BROWN, ET AL.,

PLAINTIFFS

VS.

CIVIL ACTION NO. _____

ILLINOIS CENTRAL RAILROAD COMPANY, INC.,
a.k.a.; CANADIAN NATIONAL RAILROAD AND
DOW CHEMICAL COMPANY

DEFENDANTS

VERIFICATION

STATE OF MISSISSIPPI

COUNTY OF RANKIN

PERSONALLY APPEARED before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Plaintiff, TYREE W. BROWN, who having been ~~by me~~ first duly sworn, states upon his oath that the matters and facts contained in the above and foregoing:

“Complaint and suit for damages against railroad carrier and against the chemical manufacturer for the manufacture and transportation of ultra hazardous chemicals products; PENTACHLOROPHENOL, DIELDRIN and HEPTACHLOR EPOXIDE”; that produce DIOXINS and environmental and community contamination and injuries to plaintiffs and for strict liability and for wrongful death” are true and correct as therein state to the best of his recollection.


TYREE W. BROWN

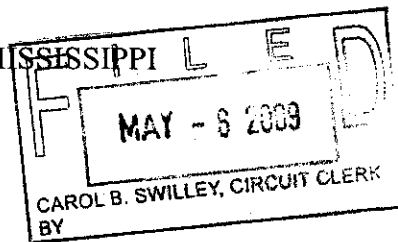
Tyree W. Brown
P.O. Box 891
Gulfport, Mississippi 39502
Tel: (228) 383-3358

GIVEN UNDER MY HAND ~~AND OFFICIAL SEAL~~, this the 13th day of April, 2009.


NOTARY PUBLIC

~~MY COMMISSION EXPIRES.~~

IN THE CIRCUIT COURT OF RANKIN COUNTY, MISSISSIPPI
TWENTIETH JUDICIAL DISTRICT



TYREE W. BROWN , ET AL.,

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 2009-105

ILLINOIS CENTRAL RAILROAD, INC.,
a.k.a. CANADIAN NATIONAL RAILROAD AND
DOW CHEMICAL COMPANY

DEFENDANTS

SUMMONS

TO: THE HONORABLE RONNY PENNINGTON OR DEPUTY SHERIFF OF
RANKIN COUNTY, MISSISSIPPI:

You are hereby commanded to Summons:

THE ILLINOIS CENTRAL RAILROAD COMPANY
a.k.a. CANADIAN NATIONAL RAILROAD COMPANY

c/o: IT'S AGENT FOR SERVICE OF PROCESS:

C.T. CORPORATION SYSTEMS INC.,
645 LAKELAND DRIVE, EAST, SUITE #101
FLOWOOD, MS 39232

NOTICE TO DEFENDANTS

You are required to mail, or hand -deliver, a copy of a written response to the Complaint to Tyree W. Brown, plaintiff pro se, whose address is P.O. Box 891, Gulfport, Mississippi 39502. Your response must be mailed, or delivered, within thirty (30) days from the date of delivery of this summons, and accompanying documents, or a Judgment

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by Default will be entered against you for the money, or other things demanded, in the complaint.

You must also file the original of your response with the Clerk of this court within a reasonable amount of time afterward.

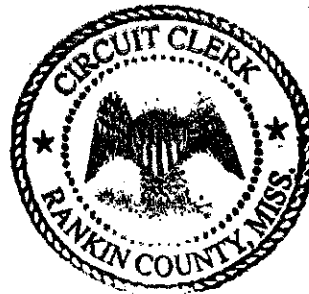
ISSUED UNDER MY HAND and seal of the said Court, this the 13th day of May, 2009.

CAROL B. SWILLEY, CIRCUIT CLERK
CAROL SWILLEY

CIRCUIT CLERK OF RANKIN COUNTY, MISSISSIPPI

BY: Macey Allen D.C.

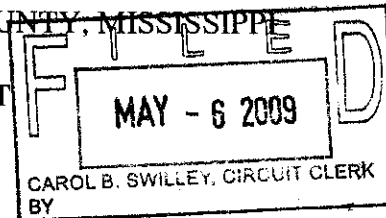
Tyree W. Brown
P.O. Box 891
Gulfport, Mississippi 39502
Tel: (228) 383-3358



STATE OF MISSISSIPPI
COUNTY OF RANKIN
I have this day executed the within writ by personally
delivering true copies of the within writ
to The Illinois Central Railroad Co
By Serving C. T. Corp. Agent Joanil Jones
This the 4th day of May, 2009
RONNIE PENNINGTON, SHERIFF
BY Billy Humphill D.S.

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IN THE CIRCUIT COURT OF RANKIN COUNTY, MISSISSIPPI
TWENTIETH JUDICIAL DISTRICT



TYREE W. BROWN, ET AL.,

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 2009-105-C

ILLINOIS CENTRAL RAILROAD, INC.,
a.k.a. CANADIAN NATIONAL RAILROAD AND
DOW CHEMICAL COMPANY

DEFENDANTS

SUMMONS

TO: THE HONORABLE RONNY PENNINGTON OR DEPUTY SHERIFF OF
RANKIN COUNTY, MISSISSIPPI:

You are hereby commanded to Summons:

THE DOW CHEMICAL COMPANY, INC.

c/o: IT'S AGENT FOR SERVICE OF PROCESS:

C.T. CORPORATION SYSTEMS INC.,
645 LAKELAND DRIVE, EAST, SUITE #101
FLOWOOD, MS 39232

NOTICE TO DEFENDANTS

You are required to mail, or hand -deliver, a copy of a written response to the Complaint to Tyree W. Brown, plaintiff pro se, whose address is P.O. Box 891, Gulfport, Mississippi 39502. Your response must be mailed, or delivered, within thirty (30) days from the date of delivery of this summons, and accompanying documents, or a Judgment by Default will be entered against you for the money, or other things demanded, in the complaint.

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You must also file the original of your response with the Clerk of this court within a reasonable amount of time afterward.

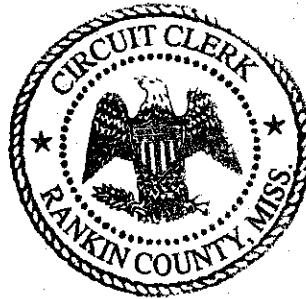
ISSUED UNDER MY HAND and seal of the said Court, this the 1st day of May, 2009.

CAROL B. SWILLEY, CIRCUIT CLERK
CAROL SWILLEY

CIRCUIT CLERK OF RANKIN COUNTY, MISSISSIPPI

BY: Mary Allen D.C.

Tyree W. Brown
P.O. Box 891
Gulfport, Mississippi 39502
Tel: (228) 383-3358



STATE OF MISSISSIPPI
COUNTY OF RANKIN
I have this day executed the within writ by personally
delivering true copies of the within writ
to The Dow Chemical Co. Inc.
By Serving C. T. Corp. Agent Joanne Jones
This the 4th day of May, 2009
RONNIE PENNINGTON, SHERIFF
BY Rory Clapham D.S.